

MANSFIELD TOWNSHIP COMMITTEE MEETING

February 12, 2014

This is a regular meeting of the Mansfield Township Committee. The notice requirements of the law have been satisfied for this meeting by notice to the Star-Gazette and the Express Times of the time, date and location thereof. Notice was also posted on the announcement board located in the Municipal Building.

Roll Call: Mr. Misertino, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Salute to the flag was done by all.

APPROVAL OF THE MINUTES:

Mrs. Kocher stated that the amount was not listed for Kevin Wards salary and asked for this to be corrected.

Mr. Watters made a motion to approve the minutes of January 22, 2014, which was seconded by Mr. Clancy.

Ayes: Mr. Misertino, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

BILL LIST:

Mr. Misertino asked about the membership fees for Municipal Court Clerk and asked if there was anything done with the resignation letter that was received. Mr. Misertino asked if the position will need to be filled.

Ms. Hrebenak stated that this position is required through the Shared Service agreement with the other towns.

Mayor Tomaszewski made a motion to accept the resignation of Judith Casella and would like to authorize the Court Administrator to advertise for the position, which was seconded by Mr. Watters.

Ayes: Mr. Misertino, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

Mr. Watters made a motion to approve the bill list and addendum, which was seconded by Mr. Clancy.

Ayes: Mr. Misertino, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

CFO REPORT:

Mr. Pandos explained that with all of the snow storms we have still been able to get salt.

CLERKS REPORT:

Ms. Hrebenak stated that resolutions were placed on the agenda to ratify the appointment of the new CPWM from the last meeting and also that all Committee members were given copies of the new purposed Shared Service Agreement with the Warren County Board of Health. Ms. Hrebenak asked if the Township Committee wanted the Board of Health to come back for a presentation or if we wanted to look over the contract.

Mr. Lavery stated that the Insurance Requirements were reduced.

Ms. Hrebenak stated that they have also reduced some of the fees.

Ms. Hrebenak stated that she has received a number of call in regards to mailbox replacement, she was unsure how the Committee wanted to handle this.

Mr. Misertino asked what the procedure was in the past.

Ms. Hrebenak stated that she believes that there was something done in the past.

ENGINEERS REPORT:

Mr. DiSessa stated that bids were received today and the prices are all over the place. There were a number of different alternatives for the bid.

Mr. DiSessa stated that the State of NJ DEP will be coming for the stormwater management inspection soon.

RESOLUTION:

2014-39

RESOLUTION APPOINTING RISK MANAGEMENT CONSULTANT

WHEREAS, Township of Mansfield (hereinafter "Local Unit") has joined the Statewide Insurance Fund (hereinafter "Fund"), a joint insurance fund as defined in N.J.S.A. 40A:10-36 *et seq.*; and

WHEREAS, the Bylaws require participating members to appoint a Risk Management Consultant, as those positions are defined in the Bylaws, if requested to do so by the "Fund"; and

WHEREAS, the Local Unit has complied with relevant law with regard to the appointment of a Risk management Consultant; and

WHEREAS, the “Fund” has requested its members to appoint individuals or entities to that position; and

NOW, THEREFORE, BE IT RESOLVED by the governing body of “Local Unit”, in the County of Warren and State of New Jersey, as follows:

1. Township of Mansfield hereby appoints Skylands Risk Management its local Risk Management Consultant.
2. The Mayor (*authorized representative of the public entity*) and Risk Management Consultant are hereby authorized to execute the Risk Management Consultant’s Agreement for the year 2014 in the form attached hereto.

Mr. Watters made a motion to approve the passage of Resolution 2014-39, which was seconded by Mr. Misertino.

Ayes: Mr. Misertino, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

**2014-40
2014 FUND YEAR
STATEWIDE INSURANCE FUND**

RISK MANAGEMENT CONSULTANT’S AGREEMENT

THIS AGREEMENT entered into this 12th day of February, 2014, among the Statewide Insurance Fund (“FUND”), a joint insurance fund of the State of New Jersey, Township of Mansfield (“MEMBER”) and Skylands Risk Management (“CONSULTANT”) through a fair and open process, pursuant to N.J.S.A.19:44A-20.4.

WHEREAS, the CONSULTANT has offered to the MEMBER professional risk management consulting services as required by the Bylaws of the FUND; and

WHEREAS, the CONSULTANT has advised the FUND that he/she is familiar with the terms, conditions and operations of the FUND; and

WHEREAS, the MEMBER desires these professional services from the CONSULTANT; and

WHEREAS, the MEMBER has complied with relevant law in regard to the appointment of a Risk Management Consultant; and

WHEREAS, the Bylaws of the FUND require that members engage a CONSULTANT and that the CONSULTANT comply with certain requirements set forth therein.

NOW, THEREFORE, the parties in consideration of the mutual promises and covenants set forth herein, agree as follows:

- For and in consideration of the amount stated hereinafter, the CONSULTANT shall:
- assist in evaluating the MEMBER'S exposures and advise on matters relating to the Member's operation and coverage.
- explain to the MEMBER, or its representatives, the various coverages available from the FUND.
- explain to the MEMBER, or its representatives, the terms of the member's commitment and obligations to the FUND.
- explain to the MEMBER, or its representatives the operation of the FUND.
- prepare applications, statements of values, etc., on behalf of the MEMBER, if required by the FUND.
- review the MEMBER'S assessment and assist in the preparation of the MEMBER'S insurance budget.
- review losses and engineering reports and provide assistance to the MEMBER'S safety committee, if required.
- assist in the claims settlement process, if required, by MEMBER or FUND.
- attend the majority of meetings of the Fund Commissioners or Executive Committee, if requested, and perform such other services as required by the MEMBER or the FUND.
- comply with the obligations imposed upon Risk Managers in the FUND's Bylaws.
- act in good faith and fair dealing to the FUND.
- perform other duties for the FUND as may be required from time to time by the FUND.

2. In exchange for the above services, the CONSULTANT shall be compensated in the following manner:

- The CONSULTANT shall be paid by the FUND, on behalf of the MEMBER, a fee as compensation for services rendered. Said fee, an apportionment of the MEMBER's assessment: 6% of workers' compensation (excluding any fees, PLIGA, and loss ratio apportionment); 7.5% of all lines assessment (excluding any fees, PLIGA, and loss ratio apportionment); and 10% of Selective umbrella assessment (excluding fees, PLIGA and administrative expenses).
- The CONSULTANT shall be entitled to compensation for services provided during any calendar year only if the CONSULTANT has been appointed and holds the position of Risk Management Consultant, as of January 31 of the said calendar year for counties and municipalities holding general elections and July 30 for municipalities holding regular elections.

- For any insurance coverages authorized by the MEMBER to be placed outside the FUND, the CONSULTANT shall receive as compensation the normal brokerage commissions paid by the insurance company. The premiums for said policies shall not be added to the FUND's assessment in computing the fee set forth in 2(a).
 - If the MEMBER shall require of the CONSULTANT extra services other than those outlined above, the CONSULTANT shall be paid by the MEMBER a fee at a rate to be negotiated by the parties.
1. The term of this Agreement shall be from **January 1, 2014 to January 1, 2015**. However, this Agreement may be terminated by either party at any time by mailing to the other thirty (30) days written notice, certified mail return receipt.
 2. The CONSULTANT shall comply with all laws applicable to producers who provide insurance products to public entities and shall comply with all applicable statutes and regulations relating to joint insurance funds.
 3. The CONSULTANT agrees to comply with all affirmative action laws applicable in accordance with Exhibit A and to submit all necessary documentation establishing compliance within seven (7) days of this Agreement.

Mr. Watters made a motion to approve the passage of Resolution 2014-40, which was seconded by Mrs. Kocher.

Ayes: Mr. Misertino, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

RESOLUTION # 2014-41
Return of Premium

TOWNSHIP OF MANSFIELD
WARREN COUNTY, STATE OF NEW JERSEY

WHEREAS, the Tax Collector of the Township of Mansfield has advised the Committee that the following property has been redeemed within five (5) years of the tax sale, and a premium of \$1,600.00 was paid at the time of the sale;

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Mansfield this 12th day of February 2014 that the \$1,600.00 premium is to be returned to the certificate holder as noted:

CERTIFICATE HOLDER

US Bank-Cust for Crestar Capital
US Bank, TLSC
2 Liberty Place
50 S. 16th Street, Suite 1950

BLOCK/LOT

Block 1102.15 Lot 10 C022J

CERT #

2012-09

Philadelphia, PA. 19102

Mr. Watters made a motion to approve the passage of Resolution 2014-41, which was seconded by Mr. Clancy.

Ayes: Mr. Misertino, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

**RESOLUTION # 2014-42
LIEN REDEMPTION**

TOWNSHIP OF MANSFIELD
WARREN COUNTY, STATE OF NEW JERSEY

WHEREAS, the Tax Collector of the Township of Mansfield has advised the Committee that the following property has been redeemed and the money due thereon paid to the Township of Mansfield Tax Collector;

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Mansfield this 12th February, 2014 that payment is to be made to the certificate holder as noted:

US Bank-Cust For Crestar Capital
US Bank TLSC
2 Liberty Place
50 S. 16th Street, Suite 1950
Philadelphia, PA. 19102

Block 1102.15, Lot 10 C022J
Certificate # 2012-09
\$ 10,180.37

Mr. Misertino made a motion to approve the passage of Resolution 2014-43, which was seconded by Mr. Clancy.

Ayes: Mr. Misertino, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

**RESOLUTION # 2014-43
FOR TRANSFER OF FUNDS
TOWNSHIP OF MANSFIELD
WARREN COUNTY, STATE OF NEW JERSEY**

WHEREAS, there are insufficient funds in some of the 2013 budget line items; and

WHEREAS, N.J.S.A. 40A:4-58 permits the transfer of appropriation reserve funds before April 1, 2014.

NOW, THEREFORE BE IT RESOLVED, (not less than two-thirds of all members thereof

affirmatively concurring) that the Acting Chief Financial Officer of Mansfield Township, County of Warren, State of New Jersey, is hereby authorized to make the following transfers in accordance with the provision of this resolution:

CURRENT FUND

<u>Account:</u>	<u>From:</u>	<u>To:</u>
Municipal Court O/E	\$ 223.09	
Engineering Services O/E		\$ 223.09
TOTALS	\$ 223.09	\$ 223.09

Mr. Clancy made a motion to approve the passage of Resolution 2014-43, which was seconded by Mr. Misertino.

Ayes: Mr. Misertino, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski
Nays: None
Absent: None
Abstain: None

RESOLUTION NO. 2014-44

RESOLUTION APPOINTING CERTIFIED PUBLIC WORKS MANAGER

WHEREAS, the Township of Mansfield appointed Brent Sliker, Certified Public Works Manager for the Township of Mansfield; and

WHEREAS, Brent Sliker has filed his paperwork for retirement as of December 31, 2013; and

WHEREAS, Kevin Ward has applied for the position of Certified Public Works Manager for the Township of Mansfield.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey as follows:

- Kevin Ward is hereby appointed Certified Public Works Manager of the Township of Mansfield as per NJSA 40A:9-154.5.
- A certified copy of this Resolution shall be filed with the Department of Community Affairs of the State of New Jersey within 7 days of the date thereof.

Mr. Clancy made a motion to approve the passage of Resolution 2014-44, which was seconded by Mr. Misertino.

Ayes: Mr. Misertino, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski
Nays: None
Absent: None
Abstain: None

RESOLUTION # 2014-45
TO AUTHORIZE AND APPROVE SALARIES AND WAGES FOR CERTAIN EMPLOYEES

WHEREAS, Ordinance # 2011-16 established the salaries and wages for the employees of the Township of Mansfield, County of Warren,

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Mansfield, County of Warren that the following named employees shall be compensated for the year 2014, unless otherwise noted, in the amount as designated below:

<u>NAME</u>	<u>POSITION</u>	<u>SALARY</u>
Kevin Ward	Public Works Superintendent	\$ 72,695.00 per annum

Mayor Tomaszewski made a motion to approve the passage of Resolution 2014-45, which was seconded by Mr. Clancy.

Ayes: Mr. Misertino, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

ORDINANCE:

ORDINANCE 2014-03

**ORDINANCE OF THE TOWNSHIP OF MANSFIELD,
COUNTY OF WARREN, STATE OF NEW JERSEY,
CONCERNING THE PAYMENT OF HEALTH BENEFITS FOR
NON-CONTRACTUAL EMPLOYEES UPON RETIREMENT
FROM EMPLOYMENT WITH THE TOWNSHIP OF
MANSFIELD**

BE IT ORDAINED by the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey, as follows:

Section 1

For all non-contractual employees who have been employed by the Township for twenty-five (25) continuous years or more, upon retirement, that employee shall be entitled to maintain enrollment in the Township's then-current health care coverage and that the Township shall pay seventy percent (70%) of the health care premiums associated with such coverage, and the employee shall pay thirty percent (30%) of the health care premiums associated with such coverage.

Upon the retired employee attaining the age of sixty-five (65) or otherwise becoming eligible to enroll in Medicare, the Township's health care coverage shall become secondary.

The provisions of this ordinance are to have prospective application as of the date of its

adoption. The Employee Handbook of the Township of Mansfield, *Retirement Policy*, is hereby amended in accordance with the provisions of this Ordinance.

Section 3 - Severability

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

Section 4 - Repealer

Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

Section 5 - Effective Date

This Ordinance shall take effect as required by law.

Mr. Watters made a motion to approve the passage of Ordinance 2014-03 and requested that the public hearing be advertised to be held on February 26, 2014, which was seconded by Mr. Clancy.

Ayes: Mr. Misertino, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

EXECUTIVE SESSION:

Mr. Watters made a motion to enter into Executive Session at 7:59pm, which was seconded by Mayor Tomaszewski.

Return from Executive Session at 9:24pm.

Mr. Clancy made a motion to approve the scholarship for softball that was discussed in Executive Session, which was seconded by Mrs. Kocher.

Ayes: Mr. Misertino, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

Mayor Tomaszewski made a motion to approve paying the \$500 application fee to North Jersey Municipal Employee Benefits Fund, which was seconded by Mr. Clancy.

Ayes: Mr. Misertino, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

PUBLIC PORTION:

Elizabeth Griggs, 545 Mount Bethel Road, snow removal plan status.

Kevin Ward, CPWM, process of developing process and procedures for snow removal.

Elizabeth Griggs, stated that she was given a commitment that there would be a plan put in place and she is looking for a timeline.

Kevin Ward deferred to the Township Committee if he should work on this.

Mayor Tomaszewski stated that Mr. Ward could work on this.

Mr. Ward stated that he would be able to have this in about 30 days.

Mrs. Griggs stated that this time line would bring us to March and there is a lot of time between now and then.

Mrs. Griggs stated that she was told that there has been no change and Mr. Ward had just said that there were some changes over the years.

Mrs. Griggs asked the Mayor what work has been done with this.

Mayor Tomaszewski stated that there are times that they get out prior to us and there are times that we get out prior to them.

Mayor Tomaszewski stated that the roads that were sprayed were Janes Chapel and Snyder Road were the roads that were done and are heavily traveled.

Mr. Misertino stated that he was working with this vendor and the product works up to under 30. Mr. Misertino stated that initially the roads were supposed to be Janes Chapel Road, Snyder, Mount Bethel, Slope Drive and Elmwood, but the vendor had limited supplies and time therefore he was only able to do Janes Chapel and Snyder Roads.

Mr. Ward stated that there is another item that we use which is Calcium Chloride and we pretreat the roads with this prior to the storm.

Mrs. Griggs asked if there were studies done to assess which roads should be done.

Mr. Ward stated that limited sunlight during the day, and traffic volume were the criteria that were used.

Mr. Misertino stated that this product is used on runways for airports and works up to -30 and is environmentally friendly.

Scott Minter, 545 Mount Bethel Road, asked about the website and the updates that are done.

JoAnn Fascenelli, stated that the green team submitted the grant for the rain barrels, Mrs. Fascenelli stated that she has been in contact with Pequest Fish Hatchery and they are interested in having a backyard composting at their facility.

Mr. Misertino stated that there were some issues with putting in the community garden by the

tennis courts.

Joe Farino, 195 Blau Road, stated that it was suggested to him to go up to Valley Road at the meeting two weeks ago and there were not the issues that were described.

Dawn Smith, 324 Mount Bethel Road, asked Mr. Ward to look at the bus stop area on Mount Bethel and mentioned that every year the township does a tax sale and she is told that there is an issue with some of the properties for foreclosure due to their titles. Mrs. Smith asked if there was a way the Township could use Eminent Domain.

Dawn Smith asked about the part time employees and if we will be hiring more part time drivers.

Mayor Tomaszewski stated that with the larger vehicles there is more training involved and that he would not want to put someone in one of the trucks without training.

Mrs. Smith made suggestions for the part time help for DPW.

Committee Person Comments:

Mr. Misertino stated that Tennis would like an increase in fee for their program so that all of the participants can be provided a tee shirt.

Mr. Misertino stated that he would like to request that the Recreation Committee ordinance be changed to have all committee members and no alternates.

Mayor Tomaszewski made a motion to name Terri Laffan as the chair to the Recreation Committee.

Mr. Watters made a motion to adjourn at 10:30pm.